

Michelle Lowery (302882)
mslowery@mwe.com
MCDERMOTT WILL & EMERY LLP
2049 Century Park East
Suite 3200
Los Angeles, CA 90067-3206
Telephone: +1 310 277 4110
Facsimile: +1 310 277 4730

Attorneys for Defendant Apple Inc.

Additional Counsel Listed on Signature Page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,
Plaintiff, Counter-defendant,

v.

APPLE INC.,
Defendant, Counterclaimant.

Case No. 4:20-cv-05640-YGR

**DEFENDANT APPLE INC.'S NOTICE OF
DECLARATIONS OF AUTHENTICITY OF
DOMESTIC BUSINESS RECORDS
PURSUANT TO FEDERAL RULE OF
EVIDENCE 902(11) & 902(14)**

Judge: Hon. Yvonne Gonzalez Rogers

DEFENDANT APPLE INC.'S NOTICE OF
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EVIDENCE 902(11) & 902(14)

Case No. 4:20-CV-05640-YGR

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, Defendant Apple Inc. (“Apple”) hereby attaches the following declarations of authenticity:

1. Attached hereto as Exhibit A is Microsoft Corporation’s Declaration of Authenticity of Domestic Business Records Pursuant to Federal Rule of Evidence 902(11) & 902(14);
2. Attached hereto as Exhibit B is App Annie Inc.’s Declaration of Authenticity of Domestic Business Records Pursuant to Federal Rule of Evidence 902(11) & 902(14);
3. Attached hereto as Exhibit C is Google, LLC’s Declaration of Authenticity of Domestic Business Records Pursuant to Federal Rule of Evidence 902(11) & 902(14); and
4. Attached hereto as Exhibit D Roblox Inc.’s Declarations of Authenticity of Domestic Business Records Pursuant to Federal Rule of Evidence 902(11) & 902(14).

Dated: May 1, 2021

By: /s/ Michelle Lowery

Michelle Lowery
MCDERMOTT WILL & EMERY LLP
2049 Century Park East
Suite 3200
Los Angeles, CA 90067-3206
(310) 277 4110
Email: mslowery@mwe.com

Mark A. Perry
Cynthia Richman
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Ave. NW
Washington, DC 20036
(202) 887-3722
Email: mperry@gibsondunn.com
crichman@gibsondunn.com

Theodore J. Boutrous, Jr.
Richard J. Doren
Daniel Glen Swanson

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Jagannathan P. Srinivasan
Jason C. Lo
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
(213) 229-7340
Email: tboutrous@gibsondunn.com
rdoren@gibsondunn.com
dswanson@gibsondunn.com
jsrinivasan@gibsondunn.com
jlo@gibsondunn.com

Veronica Smith Moye
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue
Suite 1100
Dallas, TX 75201
(214) 698-3100
Email: VMoye@gibsondunn.com

Ethan Dettmer
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street
San Francisco, CA 94105-0921
(415) 393-8200
Email: edettmer@gibsondunn.com

Katrina Robson
Evan Schlom
Elena M. Zarabozo
O'MELVENY & MYERS LLP
1625 Eye Street, N.W.
Washington, DC 20006
(202) 383-5300
Email: krobson@omm.com
eschlom@omm.com
ezarabozo@omm.com

Scott Schaeffer
O'MELVENY & MYERS LLP
Plaza 66, Tower 1, 37th Floor
1266 Nanjing Road West
Shanghai 200040, China
86-21-2307-7000

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Email: sschaeffer@omm.com

David Eberhart
Anna T. Pletcher
O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111
(415) 984-8700
Email: deberhart@omm.com
apletcher@omm.com

Peter J. Sacripanti
John J. Calandra
Nicole L. Castle
McDERMOTT WILL & EMERY LLP
340 Madison Avenue
New York, NY 10173
(212) 547-5400
Email: psacripanti@mwe.com
jcalandra@mwe.com
ncastle@mwe.com

Elizabeth A. Rodd
McDERMOTT WILL & EMERY LLP
200 Clarendon Street
Boston, MA 02116
617-535-4000
Email: erodd@mwe.com

William F. Stute
E. Joshua Rosenkranz
ORRICK, HERRINGTON AND SUTCLIFFE LLP
1152 15th St, NW
Washington, DC 20005
(202) 339-8400
Email: wstute@orrick.com
jrosenkranz@orrick.com

Karen Hoffman Lent
Evan R. Kreiner
SKADDEN ARPS SLATE MEAGHER FLOM
LLP
One Manhattan West
New York, NY 10001

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(212) 735-3000
Email: Karen.lent@skadden.com
Evan.Kreiner@skadden.com

Meredith Dearborn
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
943 Steiner St.
San Francisco, CA 94117
(202) 223-7300
Email: mdearborn@paulweiss.com

Attorneys for Defendant Apple Inc.

McDERMOTT WILL & EMERY LLP
ATTORNEYS AT LAW
LOS ANGELES

CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2021, I served true and correct copies of Defendant Apple Inc.'s Notice of Declarations of Authenticity of Domestic Business Records Pursuant to Federal Rule of Evidence 902(11) & 902(14) via electronic mail to the following counsel of record in this action:

Paul Jeffrey Riehle
Paul.riehle@faegredrinker.com
FAEGRE DRINKER BIDDLE & REATH LLP
Four Embarcadero Center, 27th Floor
San Francisco, CA 94111
(415) 591-7500
(415) 591-7510 (fax)

Benjamin Hans Diessel
bdiessel@wigin.com
Wigin and Dana LLP
One Century Tower
PO Box 1832
New Haven, CT 06508-1832
(203)498-4400

Nathan E. Denning
ndenning@wigin.com
Wigin and Dana LLP
437 Madison Ave
35th Floor
New York, NY 10022
212-551-2630

Christine A. Varney
cvarney@cravath.com
Katherine B. Forrest
kforrest@cravath.com
Gary Andrew Bornstein
gbornstein@cravath.com
Yonatan Even
yeven@cravath.com
J. Wesley Earnhardt
wearnhardt@cravath.com
Lauren Ann Moskowitz
lmoskowitz@cravath.com

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1 Vanessa A. Lavelly
2 vlavelly@cravath.com
3 Michael Brent Byars
4 mbyars@cravath.com
5 CRAVATH SWAINE & MOORE LLP
6 825 Eighth Avenue
7 New York, NY 10019
8 United States
9 (212) 474-1000
10 (212) 474-3700 (fax)

11 *Counsel for Plaintiff Epic Games, Inc.*

12 I certify under penalty of perjury that the foregoing is true and correct. Executed on May 1,
13 2021, at Dover, Massachusetts.

14 /s/ Elizabeth A. Rodd
15 Elizabeth A. Rodd

16 DM_US 179383816-1.061481.0035

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18 DEFENDANT APPLE INC.'S NOTICE OF
19 DECLARATIONS OF AUTHENTICITY OF
20 DOMESTIC BUSINESS RECORDS
21 PURSUANT TO FEDERAL RULE OF
22 EVIDENCE 902(11) & 902(14)

Exhibit A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 4:20-CV-05640-YGR

**DECLARATION OF AUTHENTICITY OF
DOMESTIC BUSINESS RECORDS
PURSUANT TO FEDERAL RULE OF
EVIDENCE 902(11) & 902(14)**

I, Kayleigh Klinzman, declare under penalty of perjury as follows:

1. I am employed by Microsoft Corporation, and my official title is Litigation Paralegal.

2. I am familiar with Microsoft's record-keeping system, including its electronic record-keeping system. I have experience in the preservation and retrieval of electronic data from Microsoft's computer systems.

3. On November 6, 2020, Microsoft received a subpoena for documents in the above captioned action (the "Subpoena").

4. On February 15, 2021, Microsoft responded to the Subpoena by producing, *inter alia*, the following records and data:

- a. Spreadsheet with sheets titled in part "Minecraft Gross Sales Revenue" and "Minecraft Sales Units", bates labeled MSFT_EPIC_00000013;
- b. Microsoft Strategy Presentation, "Xbox LIVE Games Marketplace – Guiding Principles, Mission and Vision," June 2011 Interactive Entertainment Business, bates labeled MSFT_EPIC_00000298; and
- c. Microsoft Strategy Presentation, "Xbox LIVE Marketplace – Future Strategy," Interactive Entertainment Business, bates labeled MSFT_EPIC_00000299.

DECLARATION OF AUTHENTICITY OF - 1 -
DOMESTIC BUSINESS RECORDS
PURSUANT TO FEDERAL RULE OF
EVIDENCE 902(11) & 902(14)

(Case Nos. 4:20-cv-05640-YGR)

6. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I executed this declaration on April 30, 2021 in Redmond, Washington.

Litigation Paralegal